



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8, MONTANA OFFICE  
FEDERAL BUILDING, 10 W. 15<sup>th</sup> STREET, SUITE 3200  
HELENA, MONTANA 59626

Ref: 8MO

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Jan Sensibaugh, Director  
Montana Department of Environmental Quality  
Metcalf Building  
1520 West Sixth Avenue  
Helena, MT 50620

NOTICE OF VIOLATION

Docket No. **SDWA-08-2003-0021**

Re: Libby Dam RV Park public water system  
PWS ID# MT0000482

Dear Jan:

The above referenced public water system has violated certain provisions of the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f, et seq. and the National Primary Drinking Water Regulations at 40 C.F.R. part 141 described below.

The Environmental Protection Agency (EPA) obtained this information from your November 27, 2002 letter to EPA, the Montana Department of Environmental Quality's (MDEQ) files and data contained in the Safe Drinking Water Information System (SDWIS). Please notify Eric Finke of my staff at (406) 457-5026 within 20 days if your records show any discrepancies with these determinations of violation.

Alleged Violations at  
Libby Dam RV Park public water system, PWS ID# MT0000482

Compliance Period	Alleged Violation	
	Description	Regulatory Citation
1/1/1999 - 12/30/1999	Failure to monitor and report nitrate.	40 CFR 141.23(d)
1/1/1999 - 12/30/1999	Failure to prepare public notice of violation	40 CFR 141.32(b)



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Compliance Period	Alleged Violation Description	Regulatory Citation
1/1/1999 - 12/30/1999	Failure to report a violation to the State within 48 hours.	40 CFR 141.31(b)
1/1/2000 - 12/30/2000	Failure to monitor and report nitrate.	40 CFR 141.23(d)
1/1/2000 - 12/30/2000	Failure to prepare public notice of a violation.	40 CFR 141.32(b)
1/1/2000 - 12/30/2001	Failure to report a violation to the State within 48 hours.	40 CFR 141.31(b)
1/1/2001 - 12/30/2001	Failure to monitor and report nitrate.	40 CFR 141.23(d)
1/1/2001 - 12/30/2001	Failure to prepare public notice of a violation.	40 CFR 141.32(b)
1/1/2001 - 12/30/2001	Failure to report a violation to the State within 48 hours.	40 CFR 141.31(b)

This NOTICE OF VIOLATION is issued pursuant to section 1414(a) of the SDWA, 42 U.S.C. section 300g-3(a). For the violations listed above, if MDEQ does not commence appropriate enforcement action within 30 days from the receipt of this notification, EPA is authorized to either issue an Administrative Order under section 1414(g) of the SDWA requiring the public water system to comply with these regulations, or commence civil action under section 1414(b) of the SDWA.

Please inform EPA of any change in the compliance status of this system. You may wish to confer with my staff to determine the Agency's position concerning this system and to exchange appropriate information. If the State does not commence appropriate enforcement action within 30 days from the receipt of the notification, EPA

will contact MDEQ to make arrangements to review and copy documents in the system's file, including any records contained in the state archives. If you have any questions, please contact Mr. Finke at (406) 457-5026. A copy of this NOTICE OF VIOLATION has been concurrently sent to the public water system identified above.

Sincerely,

**David J. Janik**

Michael T. Risner, Director  
David J. Janik, Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice Sincerely,

**SIGNED**

John F. Wardell, Director  
EPA Montana Office

cc: Steve Welch, Permitting and Compliance Division  
John Arrigo, Enforcement Division  
Libby Dam RV Park, PWS ID# MT0000482

**THIS DOCUMENT WAS FILED IN THE REGIONAL HEARING CLERK'S OFFICE ON  
JUNE 4, 2003.**